

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

LINDSAY O'BRIEN QUARRIE,

Plaintiff,

v.

Civ. No. 17-350 MV/GBW

STEPHEN WELLS, *et al.*,

Defendants.

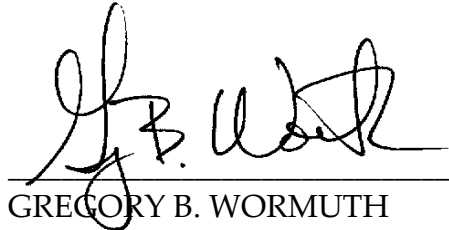
**ORDER GRANTING PLAINTIFF'S MOTION
TO UPDATE CASE CAPTION**

THIS MATTER comes before the Court on Plaintiff's Motion to Update Case Caption. *Doc. 192*. Because Lorie Liebrock, who was sued in her official capacity only, no longer holds the position of Dean of Graduate Studies at NMT, Plaintiff moves to update the case caption. Defendants have indicated that they "are not opposed to the relief requested by Plaintiff," and agree that Federal Rule of Civil Procedure 25 mandates substitution of Dr. Aly El-Osery, the new Dean of Graduate Studies, as a party. *Doc. 194*. Defendants' only opposition to the Motion is "based on Plaintiffs' unsupported arguments and commentary."

Indeed, Rule 25 states: "when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending... [t]he officer's successor is automatically substituted as a party." Fed. R. Civ. P. 25(d). Given the clarity of the law on this point and the absence of any actual dispute between

the parties, Plaintiff's Motion to Update Case Caption (*doc. 92*) is hereby GRANTED.

Dr. Aly El-Osery, in his official capacity, shall be SUBSTITUTED as a party in place of Lorie Liebrock and all future filings shall reflect this change.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE